

Amendment After Final Rejection
Serial No. 09/771,870

Docket No. US010016

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendment made to the claims and for the remarks made herein.

Claims 1-24 are pending and stand rejected. Claims 1 has been amended.

Claims 1, 13 and 19 stand rejected under 35 USC 112, second paragraph for allegedly including terms that render the claims unclear.

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims. However, in the interest of advancing the prosecution of this matter, applicant has attempted to amend the aforementioned claims to remove the objected-to language. Accordingly, claim 1 has been amended to remove the objected-to language "or the like."

Although the Office Action rejects independent claims 13 and 19 for containing the objected-to claim language, a review of the amendments made to the claims, has shown in the files on the USPTO web site, fails to show that the objected-to claim language has been incorporated into these claims.

If the Examiner believes that the objected-to claim language exists, applicant authorizes the Examiner to amend the claims to remove the objected-to term "and the like."

Claims 2-12, 14-18 and 20-24 stand rejected for being dependent from the rejected independent claims.

Based on the amendments made to the claim 1 (and whether an Examiner's amendment is made to claims 13 and 19), applicant submits that the reason for the rejection of all the claims has been overcome and respectfully requests that the rejection be withdrawn.

Claims 1-10, 12-13, 15-16, 18-21 and 23 stand rejected under 35 USC 103(a) as being unpatentable over Alexander (USP no. 6,177,931) in view of Masahiro (JP 2000-307993 11/20/2000), which are the same references cited in the prior Office Action. The instant Office Action, in reply to applicant's prior response, states "[a]s Alexander discloses 'while watching the new programs, the news broadcaster describes an event

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involving astronauts. The viewer selects the new guide/data service icon and connects to a web site on the Internet describing, among other things, additional information about the particular event involving the astronauts. The viewer uses the search engine offered by the contact web site to locate additional information about the same astronaut ... and EPG record the found program about the astronaut... Masahiro discloses the method of extracting the keywords 'golf' ... from the web page and used these keywords to search for TV programs... One [of] ordinary skill in the art would know a proxy or a gateway server is also the client or server or both... the client device still issue[s] the search command to extract and search and does not distinguish from the client/server in device."

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims.

As stated previously, Alexander teaches that a user may view information on the Internet that is obtained from a television presentation by using special icons that are included on the television screen. The information obtained from the Internet provides additional information regarding the program being viewed. The web site selected may provide links to even more information. This process of viewing information obtained from the Internet is described with regard to a sports program in col. 18, lines 13-54.

As the Office acknowledges, Alexander teaches viewing a television program and using the information obtained from the television program to obtain additional information regarding the information to the information seen on the television program.

Masahiro discloses a system for reserving recording or reproducing recorded program from television program table presented in relation with file object reference. (see Title).

Contrary to the reason for rejecting the claims, the Office Action has failed to show how the combination of Alexander and Masahiro teaches obtaining key words from an internet web site and searching for unrelated television programs containing information associated with the key words. Rather, Alexander specifically teaches the opposite of the current invention (i.e., obtaining the key words from a television program and searching the internet for related documents).

A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the

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knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

Neither Alexander nor Masahiro, individually or in combination, teach or suggest all the elements recited in the above referred-to claims. Hence, even if the teachings of Alexander and Masahiro were combined, the combined device would not include all the features recited in independent claim 1.

For at least this reason, applicant submits that the reason for the rejection has been overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

With regard to the remaining independent claims, these claims recite subject matter similar to that recited in claim 1 and were rejected citing substantially the same references used in rejecting claim 1. Thus, applicant's remarks made in response to the rejection of claim 1 are also applicable in response to the rejection of the remaining independent claims. Applicant submits that in view of the amendments made to the claims and for the remarks made with regard to the rejection of claim 1, which are reasserted, as if in full, in response to the rejection of the remaining independent claims, the reason for the rejection of these claims has been overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

Claims 11, 17 and 22 stand rejected under 35 USC 103(a) as being unpatentable over Alexander in view of Masahiro and further in view of Cargun (USP no. 5,481,296). Claim 14 stands rejected under 35 USC 103(a) as being unpatentable over Alexander in view of Masahiro and further in view of Geer (USP no. 6,788,882).

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Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims.

The aforementioned claims depend from the independent claims which have been shown to contain subject matter not disclosed by the combination of Alexander and Masahiro. Contrary to the statements made in the Office Action, the cited references fail to provide teaching or suggestion to correct the deficiency noted in the combination of Alexander and Masahiro. Hence, even if there were some motivation to combine the teachings of the cited references, the device formed from the teachings of the cited references fails to teach all the features recited an independent claim, and consequently, the aforementioned dependent claims.

Accordingly, the invention recited in the aforementioned claims is not rendered obvious by the teachings of the cited references. For at least this reason applicant submits that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

Although the last Office Action was made final, this amendment should be entered. No matter has been added to the claims that would require comparison with the prior art or any further review. Accordingly, pursuant to MPEP 714.13, applicant's amendments should only require a cursory review by the examiner. The amendment therefore should be entered without requiring a showing under 37 CFR 1.116(b).

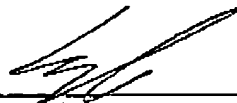
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For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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Date: August 14, 2006

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